

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SHARON PATERSON,

No. 2:05-cv-00827-MCE-JFM

Plaintiff,

v.

MEMORANDUM AND ORDER

CALIFORNIA DEPARTMENT OF
GENERAL SERVICES, RAYMOND
ASBELL, and INTER-CON SECURITY
SYSTEMS, INC.,

Defendants.

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Presently before the Court is Plaintiff Sharon Paterson's
post-trial Motion for Injunctive Relief.¹

Plaintiff brought this action against Defendant Inter-Con
Security Systems' ("Inter-Con") seeking damages for sexual
harassment and retaliation under both California and federal law.

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¹ Because oral argument will not be of material assistance,
the Court orders this matter submitted on the briefs. E.D. Cal.
Local Rule 78-230(h).

1 The matter was submitted to a jury which found in favor of
2 Plaintiff. The jury also found that Plaintiff was entitled to
3 punitive damages. The Court entered a judgment in favor of
4 Plaintiff. Plaintiff now moves the Court to enter an injunction
5 purging its records of any reference to Plaintiff's termination,
6 converting her wrongful termination to a voluntary resignation,
7 and confirming said voluntary resignation in response to any
8 inquiries from Plaintiff's prospective employers.

9 Plaintiff's motion is essentially a motion to alter or amend
10 the judgment entered by this Court to add an injunction relief
11 which was never included in the prayer for relief in Plaintiff's
12 Complaint. As such, Plaintiff's motion is governed by
13 Rule 59(e)'s requirement that the motion be filed within 10 days
14 after the entry of the judgment. The Court entered the Second
15 Amended Judgment on April 14, 2008. Plaintiff filed this motion
16 May 13, 2008 - well past the 10-day deadline provided in Rule
17 59(e). Accordingly, Plaintiff's motion is denied as untimely.

18 Further, the Court finds that Plaintiff has already been
19 compensated for the injury she now asserts in that the jury
20 awarded her "other non-economic damages" after her attorney
21 argued that she was entitled to damages for future losses.

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CONCLUSION

For the foregoing reasons, Plaintiff's Motion for Injunctive Relief is DENIED.

IT IS SO ORDERED.

Dated: September 16, 2008

A handwritten signature in blue ink, appearing to read "Morrison C. England, Jr.", is written over a horizontal line.

MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE